

REMARKS

Entry of the foregoing amendments and reconsideration of this application are respectfully requested in view of the following remarks. Claims 9-17 and 32-42 are pending in the application, with claims 9, 32 and 40 being the independent claims. Claims 32-42 have been added. The Applicants respectfully submit that these amendments and new claims introduce no new matter.

Amendment to the Specification

The Applicants have amended paragraphs [1137], [1170] and [1195] in the Description to correct typographical errors noted in a reference character and Figure numbers. No new matter is added by these amendments.

New Claims 32-42 are within the Elected Invention II

The Applicants respectfully assert that new claims 32-42 are within the elected Invention II, which is drawn to an ear warmer including a curved first portion, classified in class 2, subclass 171.4.

Conclusion

The Applicants believe that a full and complete response has been made to the outstanding Restriction Requirement and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

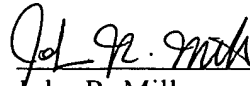
Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: 28-Apr-06

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, Virginia 20190-5656
Tel: (703) 456-8000
Fax: (703) 456-8100

Respectfully submitted,
COOLEY GODWARD LLP

By:



John R. Mills
Reg. No. 56,414